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EXAMINER

BURGESS, BARBARA N

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/781,496	<b>Applicant(s)</b> ARAI, TOSHIYUKI	
	<b>Examiner</b> BARBARA N. BURGESS	<b>Art Unit</b> 2457	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8, 20 and 22-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 20 and 22-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### **DETAILED ACTION**

This Office Action is in response to Request for Continuation Examination (RCE) filed September 22, 2008. Claims 1-8, 20, 22-36 are presented for further examination.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8, 20, 22-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klug et al. (hereinafter "Klug", US 6,823,327 B1) in view of Bezos et al. (hereinafter "Bezos", US Patent 6,029,141).

As per claim 1, Klug discloses an information processing comprising:

- A first information processing apparatus capable of transmitting information to a terminal device (column 2, lines 1-10);
- A second information processing apparatus capable of transmitting information to the terminal device (column 4, lines 28-31, column 5, lines 3-6);

Said first information processing apparatus comprising:

- receiving means for receiving, after the terminal device has accessed said first information processing apparatus, a request signal from the terminal device to obtain

information by which a user operating the terminal device may access said second information processing apparatus(column 2, lines 7-10, 37-41);

- user identifier generating means for generating identifier identifying the user operating the terminal device in response to request signal (column 2, lines 13-15, 41-45);
- generation source identifier storage means storing a generation source identifier, the generation source identifier identifying said information processing apparatus as generation source of the user identifier and as introducer of the user operating the terminal device (column 2, lines 13-15, 40-50);
- first transmitting means for transmitting the user identifier and the generation source identifier to the second information processing apparatus to enable the second information processing apparatus to record the user identifier and the generation source identifier as associated entries in a database (column 2, lines 47-51, column 5, lines 3-5, 23-26, 35-41);
- second transmitting means for transmitting the user identifier and the generation source identifier to the terminal device to enable the terminal device to request access to the second information processing apparatus by sending the user identifier to the external apparatus (column 2, lines 7-10, 13-15, 37-45, column 11, lines 8-13, 43-50);

said second information processing apparatus comprising:

- receiving means for receiving the user identifier and the generation source identifier from the terminal device (column 5, lines 19-26, 35-40);

- authenticating means for authenticating the received user identifier and generation source identifier to permit access to stored information associated with said second information processing apparatus (column 6, lines 1-14, 50-58).

Klug does not explicitly disclose:

- A generation source identifier assigned to said first information processing apparatus by the second information processing apparatus;
- payment processing means for executing a process to pay an introduction fee to said first information processing apparatus in response to successful authentication of the received user identifier and the received generation source identifier, said first information processing apparatus being identified using the received generation source identifier

However, in an analogous art, Bezos teaches a system that enables businesses (associates) to market products in return for a commission that are sold from a merchant's web site. The associate grants the merchant a unique associate ID. This ID is used when linking to the associate's website. Bezos further teaches compensating associates for the number of referrals to the merchant's website (Abstract, column 2, lines 8-36, column 3, lines 19-24, 35-40, column 6, lines 31-40, column 7, lines 30-51, column 8, lines 8-16, column 11, lines 18-25, column 16, lines 64-67, column 17, lines 5, 10-13).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Bezos's assigning a source

identifier by the external apparatus in Klug's apparatus allowing the task of marketing the merchant's products to be efficiently distributed among entities that have established reputations and exposure.

As per claim 2, Klug discloses the information processing system according claim 1, wherein the request signal received by said receiving means of said first information processing apparatus is a request for the first information processing apparatus to issue a user password, the user password being the user identifier and the introduction password being the generation source identifier (column 2, lines 13-31).

As per claim 3, Klug discloses the information processing system according claim 2, wherein said receiving means of said first information processing apparatus includes means for receiving individual information of the user operating the terminal device (column 1, lines 47-60).

As per claim 4, Klug discloses the information processing system according to claim 3, wherein the user password and the introduction password used for accessing homepage information contained within the external apparatus, identifies the homepage information the information processing apparatus to the second information processing apparatus (column 2, lines 5-25, column 4, lines 24-33, column 5, lines 1-7, 18-25).

As per claim 5, Klug discloses the information processing system according to claim 3, wherein said first information processing apparatus further comprises individual information storage means for storing the received individual information (column 5, lines 14-17, 29-31, 35-38).

As per claim 6, Klug discloses the information processing system according to claim 5, wherein said user identifier generating means of said first information processing apparatus generates the user password in association with the received individual information, and then transfers the user password to the individual information storage means which stores the user password in association with the individual information (column 2, lines 7-10, 37-41, column 11, lines 8-13, 43-50).

As per claim 7, Klug discloses the information processing system according claim 1, wherein the generation source identifier stored by said generation identifier storage means of said first information processing apparatus identifies homepage information (column 5, lines 14-17, 29-31, 35-38).

As per claim 8, Klug discloses the information processing system according to claim 7, wherein the generation service identifier storage means stores an introduction password as the generation source (column 5, lines 14-17, 29-31, 35-38).

As per claim 20, Klug discloses an information processing method comprising the steps of:

- receiving, at a first information processing apparatus after the first information processing apparatus is accessed by a terminal device, a request signal from the terminal device to obtain information by which a user operating the terminal device may access second information processing apparatus that is external to the first information processing apparatus (column 2, lines 7-10, 37-41);
- generating, at the first information processing apparatus, a user identifier identifying the user operating to the terminal device in response to the request signal (column 2, lines 13-15, 41-45);
- storing, at the first information processing apparatus, a generation source identifier identifying the first information processing apparatus as generation source of the user identifier and as introducer of the user operating the terminal device (column 2, lines 13-15, 41-45);
- transmitting, from the first information processing apparatus to the second information processing apparatus, the user identifier and the generation source identifier to the external apparatus to enable the second information processing apparatus to record the user identifier and the generation source identifier as associated entries in a database (column 2, lines 47-51, column 5, lines 3-5, 23-26, 35-41);
- transmitting, from the first information processing apparatus to the terminal device, the user identifier and the generation source identifier to enable the terminal device,



to request access to the second information processing apparatus by sending the user identifier and the generation source identifier to the second information processing apparatus (column 2, lines 7-10, 37-41, column 9, lines 45-67, column 11, lines 8-13, 43-50);

said second information processing apparatus comprising:

- receiving means for receiving the user identifier and the generation source identifier from the terminal device (column 5, lines 19-26, 35-40);
- authenticating means for authenticating the received user identifier and the received generation source identifier to permit access to stored information associated with said second information processing apparatus (column 6, lines 1-14, 50-58).

Klug does not explicitly disclose:

- A generation source identifier assigned to said information processing apparatus by the second information processing apparatus;
- payment processing means for executing a process to pay an introduction fee to said first information processing apparatus in response to successful authentication of the received user identifier and the received generation source identifier, said first information processing apparatus being identified using the received generation source identifier.

However, in an analogous art, Bezos teaches a system that enables businesses (associates) to market products in return for a commission that are sold from a

merchant's web site. The associate grants the merchant a unique associate ID. This ID is used when linking to the associate's website. Bezos further teaches compensating associates for the number of referrals to the merchant's website (Abstract, column 2, lines 29-31, column 3, lines 35-41, column 6, lines 31-40, column 7, lines 35-51, column 16, lines 64-67, column 17, lines 5, 10-13).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Bezos's assigning a source identifier by the external apparatus in Klug's apparatus allowing the task of marketing the merchant's products to be efficiently distributed among entities that have established reputations and exposure.

As per claim 22, Klug discloses the information processing method according to claim 20, wherein the request from the terminal device is a request to issue a user password identifying a user operating the terminal device and to issue an introduction password, the user password being the user identifier and the introduction password being the generation source identifier (column 2, lines 5-30).

As per claim 23, Klug discloses the information processing method according to claim 22, wherein said receiving step at the first information processing apparatus includes receiving individual information of the user operating the terminal device (column 4, lines 20-30).

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As per claim 24, Klug discloses the information processing method according to claim 23, wherein the user password and the introduction password are used for accessing homepage information contained within the second information processing apparatus, and the introduction password identifies the homepage information of the information processing apparatus to the second information processing apparatus (column 10, 10-35).

As per claim 25, Klug discloses the information processing method according to claim 23, further comprising:  
storing the received individual information (column 8, lines 40-55).

As per claim 26, Klug discloses the information processing method according to claim 25, wherein said generating step includes generating the user password in association with the received individual information and storing the user password in association with the individual information (column 4, lines 30-60).

As per claim 27, Klug discloses the information processing method according to claim 20, wherein the stored generation source identifier identifies homepage information (column 5, lines 23-40).

As per claim 28, Klug discloses the information processing method according to claim 27, wherein an introduction password is stored as the generation source identifier (column 6, lines 5-37).

As per claim 29, Klug discloses the information processing system according to claim 1, wherein the authenticating means comprises an input checker for determining whether a given receiving of the user identifier is an initial reception, and a user identifier register for registering the user identifier determined by the input checker to be an initial reception and for storing at least one previously received user identifier (column 5, lines 1-15).

As per claim 30, Klug discloses the information processing system according to claim 1, wherein the authenticating means comprises a generation source processor for outputting generation source information or no-generation source information based on a result of a comparison of the received generation source identifier and the at least one previously stored generation source identifier (column 7, lines 23-45).

As per claim 31, Klug discloses the information processing system according to claim 30, wherein the generation source processor updates a point value that corresponds to the generation source identifier indicating the generation source based on the result of the comparison (column 6, lines 33-46).

As per claim 32, Klug does not explicitly disclose the information processing system according to claim 31, wherein said second information processing apparatus further comprises homepage information storage means for storing homepage information, and wherein the payment processing means converts the point value to an amount of currency and generates a signal for causing payment of the amount of currency to the first information processing apparatus, the signal serving a settlement signal having an identifier corresponding to a homepage of a payment source, an account number associated with the received generation source identifier, and information concerning the paid amount of currency.

However, in an analogous art, Bezos teaches a system that enables businesses (associates) to market products in return for a commission that are sold from a merchant's web site. The associate grants the merchant a unique associate ID. This ID is used when linking to the associate's website. Bezos further teaches compensating associates for the number of referrals to the merchant's website (Abstract, column 2, lines 29-31, column 3, lines 35-41, column 6, lines 31-40, column 7, lines 35-51, column 16, lines 64-67, column 17, lines 5, 10-13).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Bezos's assigning a source identifier by the external apparatus in Klug's apparatus allowing the task of marketing the merchant's products to be efficiently distributed among entities that have established reputations and exposure.

As per claim 33, Klug discloses the information processing method according to claim 20, wherein the authenticating step includes determining whether a given receiving of the user identifier is an initial reception, registering the user identifier determined by the input checker to be an initial reception, and storing at least one previously received user identifier (column 5, lines 1-15).

As per claim 34, Klug discloses the information processing method according to claim 20, wherein the authenticating step includes outputting generation source information or no-generation source information based on a result of a comparison of the received generation source identifier and a previously stored generation source identifier (column 7, lines 23-45).

As per claim 35, Klug discloses the information processing method according to claim 34, wherein the authenticating step includes updating a point value that corresponds to the generation source identifier indicating the generation source based on the result of the comparison (column 6, lines 33-46).

As per claim 36, Klug does not explicitly discloses the information processing method according to claim 35, further comprising storing homepage information, and wherein the executing step includes converting the point value to an amount of currency and generating a signal for causing payment of the amount of currency to the first

information processing apparatus, the signal serving a settlement signal having an identifier corresponding to a homepage of a payment source, an account number associated with the received generation source identifier, and information concerning the paid amount of currency.

However, in an analogous art, Bezos teaches a system that enables businesses (associates) to market products in return for a commission that are sold from a merchant's web site. The associate grants the merchant a unique associate ID. This ID is used when linking to the associate's website. Bezos further teaches compensating associates for the number of referrals to the merchant's website (Abstract, column 2, lines 29-31, column 3, lines 35-41, column 6, lines 31-40, column 7, lines 35-51, column 16, lines 64-67, column 17, lines 5, 10-13).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Bezos's assigning a source identifier by the external apparatus in Klug's apparatus allowing the task of marketing the merchant's products to be efficiently distributed among entities that have established reputations and exposure.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BARBARA N. BURGESS whose telephone number is (571)272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Barbara N Burgess/  
Examiner, Art Unit 2457

Barbara N Burgess  
Examiner  
Art Unit 2457

November 6, 2008

/Yves Dalencourt/  
Primary Examiner, Art Unit 2457